
Title: Release of Fire Reports and Other
Departmental Documents

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Purpose:

To establish a standard procedure for the release of fire reports and other departmental documents and records that are generated during the course of daily activities of the department, and are under the direct control of the department.

Scope:

This guideline is designed to outline for all personnel, who during the course of their daily activities generate or have access to departmental documents and records, the procedures for the release of fire reports and other departmental documents.

General:

During the course of daily operations, the department generates and maintains numerous documents, reports and correspondences (both electronic and paper). These records are regarded as 'for department use only', and are to be treated as private, confidential information. Personnel shall not disclose, or permit the disclosure of any department records to any entity (both public and private) under any circumstances without the approval of the Fire Chief, or his designee, unless otherwise expressly permitted by this SAG.

Note: This guideline does not cover the procedures for the release of EMS reports. For guidance on the release of EMS reports, see departmental SAG 300.06 and 300.07.

I. Fire Reports:

- A. The department generates and maintains two (2) types of fire related reports. They are Fire Incident Reports, and Fire Marshal Reports.
- B. Fire Incident Reports include, but are not limited to: structure fires, vehicle fires, brush fires, hazardous materials responses, and engine company investigations.
 - 1. Fire Incident Reports may be released by Operations Division Officers and Administrative Division personnel only after approval from the Fire Chief, Fire Marshal, or their designees.

Martinsville Fire & EMS

SAG 100.06 – Release of Fire Reports and Other Departmental Documents

2. Fire Incident Reports may be released, upon request, to the following:
 - a. Property owner
 - b. Tenant
 - c. Insurance company of the victim, property owner and/or tenant
 - d. Virginia State Fire Marshal's Office
 - e. Commonwealth's Attorney
 - f. Court of law by subpoena or court order
 - g. Law enforcement agency for investigative purposes
 - h. Any other agency authorized by the Code of Virginia
3. All requests for Fire Incident Reports shall be documented on the department's **Fire Report Release Form**. The completed form shall be submitted to the Deputy Fire Chief, so that it can be scanned into a .pdf format and then attached to the electronic version of the Fire Incident Report for record keeping purposes.
- C. Fire Marshal Reports include any documentation generated that is related to origin and cause investigations, suspicious fire investigations, statements of witnesses, and photographs of fire scenes.
 1. Fire Marshal Reports may only be released by the Fire Marshal, or his designee, following the conclusion of any fire investigation.
 2. Fire Marshal Reports may be released, upon request, to the persons/entities listed in line B, 2 of this section.
 3. All requests for Fire Marshal Reports shall be documented on the department's **Fire Report Release Form**. The completed form shall be submitted to the Fire Marshal, so that it can be scanned into a .pdf format and then attached to the electronic version of the Fire Incident Report for record keeping purposes.

II. Department Documents, Correspondences and Memorandums:

- A. Departmental documents, correspondences and memorandums (both electronic or paper) include, but are not limited to:
 1. Personnel records and demographic data
 2. Disciplinary and/or investigative documents
 3. Official correspondences from or to the department
 4. Inter-departmental and intra-departmental memorandums

Martinsville Fire & EMS

SAG 100.06 – Release of Fire Reports and Other Departmental Documents

- 5. Electronic correspondences, such as e-mails.
- B. Information relative to the business affairs and/or operations of the department shall not be disclosed to individuals, organizations or media without the approval of the Fire Chief, or his designee.
- C. Confidential or sensitive records shall not be included or attached to e-mails, or forwarded in e-mails as noted in the City of Martinsville Employee Manual, Chapter XII – Miscellaneous Issues, under Personal Use of Computers, Internet, and E-Mail section.
- D. Some department personnel will work in positions where confidential information concerning the plans and affairs of the City, our department, or other employees will be handled. Personnel cannot discuss such plans or records with persons not authorized to have access to this information. Any requests for such information shall be referred to the appropriate department director or other City official as noted in the City of Martinsville Employee Manual, Chapter XII – Miscellaneous Issues, under Confidentiality of Records section.
- E. Personnel shall not disclose any information pertaining to legal or potentially legal proceedings unless prior approval has been granted by the Fire Chief, or his designee, or subpoenaed through a court of law. Any information that is subpoenaed will not be released by anyone other than the Fire Chief, or his designee. Personnel shall not disclose any records or give statements to attorneys, media, or the general public regarding the affairs of the City and/or the department without the approval of the Fire Chief, or his designee. Any requests for such information shall be referred to the Fire Chief, or his designee.
- F. Personnel are prohibited from removing or taking any departmental records from the department for any reason without the approval of the Fire Chief, or his designee.